

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the) Application No. 911-002
Commission, on its own motion,)
seeking to determine the)
surcharge for the Enhanced) ORDER SETTING SURCHARGE
Wireless 911 Fund.)
)
) Entered: November 23, 2015

BY THE COMMISSION:

The Commission, on its own motion, scheduled a hearing on this matter pursuant to an order entered October 20, 2015, to determine the annual surcharge for the Enhanced Wireless 911 Fund (Fund), pursuant to *Neb. Rev. Stat. § 86-458* (2008).

Notice of hearing was sent to all interested parties including all wireless service providers and public safety answering points on or about October 20, 2015. Further notice was published in the Omaha World Herald, the Lincoln Journal Star, and The Daily Record, Omaha, on November 2 and November 9, 2015.

The hearing was held on November 17, 2015. Ms. Jamie Reyes appeared on behalf of the Commission staff. Mr. Loel Brooks appeared on behalf of N.E. Colorado Cellular, Inc., d/b/a Viaero Wireless (Viaero).

E V I D E N C E

Ms. Sue Vanicek, Director of the Nebraska Telecommunications Infrastructure and Public Safety Department, testified on behalf of Commission staff. Ms. Vanicek provided an overview of the current status of the Fund and the total approved expenditures of \$8.8 million for the 2015-2016 funding year. Ms. Vanicek recommended that at least a six-month operating reserve be maintained in the Fund and that the current balance is at slightly less than a two-year operating reserve. Ms. Vanicek stated that due to the potential transition to Next Generation 911 and the current balance, the surcharge should remain at \$0.45.

Mr. Brooks provided testimony on behalf of Viaero in support of maintaining the current surcharge. Mr. Brooks also submitted written testimony on behalf of Ms. Kara Thielen of Viaero, which was entered into the record.

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The Enhanced Wireless 911 Advisory Board recommended at their meeting on October 19, 2015, that the surcharge remain at the current level.

F I N D I N G S A N D C O N C L U S I O N S

Pursuant to Neb. Rev. Stat. § 86-457, the surcharge may be increased by the Commission up to \$.70 per active telephone number or functional equivalent for all counties but Douglas County, which remains capped at \$.50.

The Commission finds that based upon testimony provided by staff, the current fund balance, and the potential transition to Next Generation 911, the surcharge should be maintained at forty-five cents (\$.45) per active telephone number or functional equivalent, per month. The Commission will have the opportunity to revisit the surcharge level annually. The Commission will continue to monitor funding needs, revenue projections and the fund balance and will make adjustments in the future should it be necessary.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the surcharge for the Enhanced Wireless 911 Fund should remain at forty-five cents (\$.45) per active telephone number or functional equivalent, per month effective January 1, 2016.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 23rd day of November, 2015.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Crystal Knowles

Tim Schram

Vice Chairman

Frank E. Landis

ATTEST:

//s//Frank E. Landis

Abby L. Pugh

//s//Tim Schram

Executive Director